

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6733 OF 2005

Sanjay Sitaram Khemka ...Applicant
Vs.
The State of Maharashtra & Anr. ...Respondents

Mr. Sanjay S. Khemka, Applicant-in-person.
Ms Rajeshree Gadhvi, A.P.P. for the State.

CORAM : A. S. OKA, J.
DATE : OCTOBER 18, 2005.

P.C.:

1. Heard the Applicant appearing in person.
Perused the earlier order dated 12th October, 2005.
The Applicant appearing in person states that he desires to apply to the same Court for cancellation of warrant. However, his Advocate is not available and therefore, he could not make the Application. He states that the Application will be made by him for cancellation of warrant on 28th October, 2005.

2. In view of this statement, this Application need not be kept pending. When remedy of making an Application before the same court is available to the Applicant, this Application cannot be entertained.

3. Hence, I pass the following order:

: O R D E R :

i) Application is rejected.

ii) The non-bailable warrant issued against the Applicant will not be executed till 29th October, 2005 to enable the Applicant to make an Application before the same Court for cancellation of non-bailable warrant.

iii) If Application is made by the Applicant on or before 28th October, 2005 for cancellation of non-bailable warrant, the concerned Court will decide the said Application on its own merits.

iv) The Applicant and the concerned Court to act upon an authenticated copy of this order.

JUDGE